



1754

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Docket No. 4174I

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of

Applicant: Speronello, et al.  
Serial No.: 09/879,745  
Date Filed: June 12, 2001  
Title: METHOD, COMPOSITION AND SYSTEM  
FOR THE RELEASE OF CHLORINE DIOXIDE GAS  
Art Unit: 1754  
Examiner:

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JAN 03 2002  
TC 1700

October 30, 2001

Assistant Commissioner for Patents  
Washington, DC 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications or (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Divisional of Serial No. 09/407,519 filed Sept. 28, 1999; which is a divisional of Serial No. 09/022,798 filed Feb. 13, 1998; which is a CIP of Serial No. 08/961,488 filed Oct. 30, 1997; which is a CIP of Serial No. 08/891,665 filed July 11, 1997 now abandoned; which is a CIP of Serial No. 08/808,768 filed March 3, 1997, now abandoned.

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231.

Date: October 30, 2001

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2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) ☐ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) ☐ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".
- (c) ☐ Abstracts by recognized library services.

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

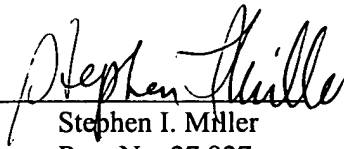
- (a) ☐ Within 3 months of the filing date or date of entry into the National Stage.
- (b) ☒ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 05-1070 for consideration of this Statement.
- (c) ☐ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance (37 C.F.R. 1.97(c)).
  - (1) ☐ The required certification is given below, or
  - (2) ☐ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or
  - (3) ☐ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit No. 05-1070.
- (d) ☐ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.
  - (1) ☐ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(i)(1), or
  - (2) ☐ Charge the fee set forth in 37 C.F.R. 1.17(i)(1) to Deposit Account No. 05-1070.

4. Certification (if applicable)

- (a) ☐ The undersigned hereby certifies that each item of information contained in a communication from a foreign patent office was cited by the foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.
- (b) ☐ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 05-1070.

Respectfully Submitted,

By   
Stephen I. Miller  
Reg. No. 27,927

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
PATENT & TRADEMARK OFFICE  
INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT

ATTY DOCKET NO. 4174 I

SERIAL NO. 09/879,745

APPLICANT: B. Speronello, et al.

FILING DATE: 6/12/2001

GROUP: 1754



## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Filing Date if Appropriate
	5,019,402	5/91	Kross, et al.	424/665	
	5,104,660	4/92	Chvapil, et al.	424/445	
	5,116,620	5/92	Chvapil	424/445	
	5,324,447	6/94	Lam, et al.	252/187.21	
	5,360,609	11/94	Wellinghoff	514/772	
	5,399,288	3/95	Marzouk, et al.	252/186.21	
	5,567,405	10/96	Klatte, et al.	423/477	
	5,631,300	5/97	Wellinghoff	514/772.3	

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## FOREIGN PATENT DOCUMENTS

Examiner Initial	Document number	Publication Date	Country or Patent Office	Class	Translation	
					Yes	No

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	"The Manufacture and Properties of Chlorine Dioxide", by Dr. E. Kesting, Pulp and Paper Magazine of Canada, July 1952.
	Kirk-Othmer - Encyclopedia of Chemical Technology, 4th Edition, Vol. 5, "Chlorous Acid, Chlorites, and Chlorine Dioxide," pg. 968-991, by John A. Wojtowicz, copyright 1993 by John Wiley & Sons, Inc.
	Chlorine Dioxide Chemistry and Environmental Impact of Oxychlorine Compounds by W.J. Masschelein, Ann Arbor Science Publishers Inc.

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

INFORMATION DISCLOSURE STATEMENT PTO-1449 (Modified)

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT & TRADEMARK OFFICEINFORMATION DISCLOSURE STATEMENT  
BY APPLICANT

DEC 31 2001

ATTY DOCKET NO. 4174I

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## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Filing Date if Appropriate
	2,022,262	11/35	White		
	2,071,091	2/37	Taylor	167-17	
	2,071,094	2/37	Vincent	167-17	
1)	2,338,268	1/44	Stossel, et al.	252-187	
	2,394,064	2/5/46	Hutchinson	99-192	
	2,432,891	3/45	Aston		
	2,436,134	2/48	Aston	23-152	
	2,482,891	9/49	Aston	252-187	
	3,591,515	7/71	Lovely	252-187	
	4,104,190	8/78	Hartshorn	252-187	
	4,547,381	10/85	Mason	426/316	
	4,585,482	4/86	Tice	106/15.05	
	4,689,169	8/87	Mason	252/186.24	
	4,861,514	8/89	Hutchings	252/187.21	

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Examiner

Date Considered

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